

Notice of Allowability

Application No.

10/082,211

Examiner

Karin M. Reichle

Applicant(s)

ONISHI ET AL.

Art Unit

3761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-19-06 and 11-22-06.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

Continuation of Attachment(s) 9. Other: copies of amendments to Figures.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Christopher Brody on February 8, 2007.

3. The substitute specification, claims and abstract filed 10-19-06 and the drawings filed 11-22-06 have been entered.

4. The application as set forth in paragraph 3 has been amended as follows:

In the Specification,

in the abstract, line 7: change "to curve" to --curving--;

in the abstract, line 8: change "curving" to --curves--;

in the abstract, line 9: change "the two batt structures" to --the basic absorbent batt structure--;

page 2, line 18: after "lying" (both), insert --in--;

page 2, lines 20 and 21: after "lies" (both), insert --in--;

page 3, line 12: change "structure" to --structures--;

page 5, lines 13 and 15: change "(4)" to --4--;

page 6, line 2: change "side edge portion 4d" to --end portion 4c--;

page 6, lines 12-13: change "between...free end" to --along a zone-- and after "6A",
insert --rather adjacent its proximal end portion 6c--;

page 6, line 16: delete "are";

page 6, line 17: change "Substantially" to --Subsequently--;

page 7, line 4: change "portions" to --portion--;

page 7, lines 18-19: change "transversely...4d" to --associated side edge portion of the
core 4--;

page 9, line 19: after "backsheet 3", insert --extend transversely outward of the associated
side edge portion of the core 4. The transversely opposite side edge portions 3b--;

page 10, line 7: delete "on the backsheet 3, 7a";

page 11, lines 5-6: change "it is not apprehended that such feces might " to --not--;

page 11, lines 16-18: change . Therefore...mixed" to --and does not mix--;

page 12, line 18: before "covering", insert --liquid pervious--;

page 13, line 5: change "midway...18c" to --along a zone of--;

page 13, line 6: after "18A", insert --rather adjacent its proximal end portion 18c--;

page 13, line 7: after "and" (2nd), insert --has--;

page 13, line 9: delete "are";

page 13, line 10: change "Substantially" to --Subsequently--;

page 15, line 12: change "it is not apprehended" to --there is no anxiety--;

page 16, line 10: change ". The" to --while this--;

page 16, line 11: before "its", insert --has--;

page 16, line 12: delete "are";

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page 17, line 11: change "by" to --between--;

page 18, line 9: delete "that";

page 18, line 10: change "curves" to --curving--;

page 19, line 9: change "to prevent" to --prevents--;

page 19, line 13: change "and the" to --, a--;

page 19, line 14: changes "the" (1st) to --a--;

page 19, line 17: change "In" to --As a-- and ", the" to --, a--;

page 20, line 4: change "structure" to --structures--;

page 20, line 7: change "In" to --As a--.

In Claim 1(Patent Claim 1),

line 15: change "structure" to --structures--;

line 18: deleted "," (1st).

In Claim 5(Patent Claim 5),

line 1: change "The" to --A--;

line 11: change "structure" to --structures--.

Claims 1-8 are allowed.

Claims 9-12 were previously cancelled.

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5. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: See attached sheets of Figures showing amendments. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

6. The following is an examiner's statement of reasons for allowance: See paragraph 8, lines 8-10 and paragraph 9, lines 1-4 of the FINAL with regard to claim language interpretation. The prior art references, alone or in any combination, do not teach an elastic member as set forth in the last two sections of claim 1 in combination with the other features claimed in claim 1.

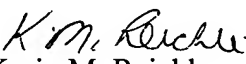
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karin M. Reichle whose telephone number is (571) 272-4936. The examiner can normally be reached on Monday-Thursday.

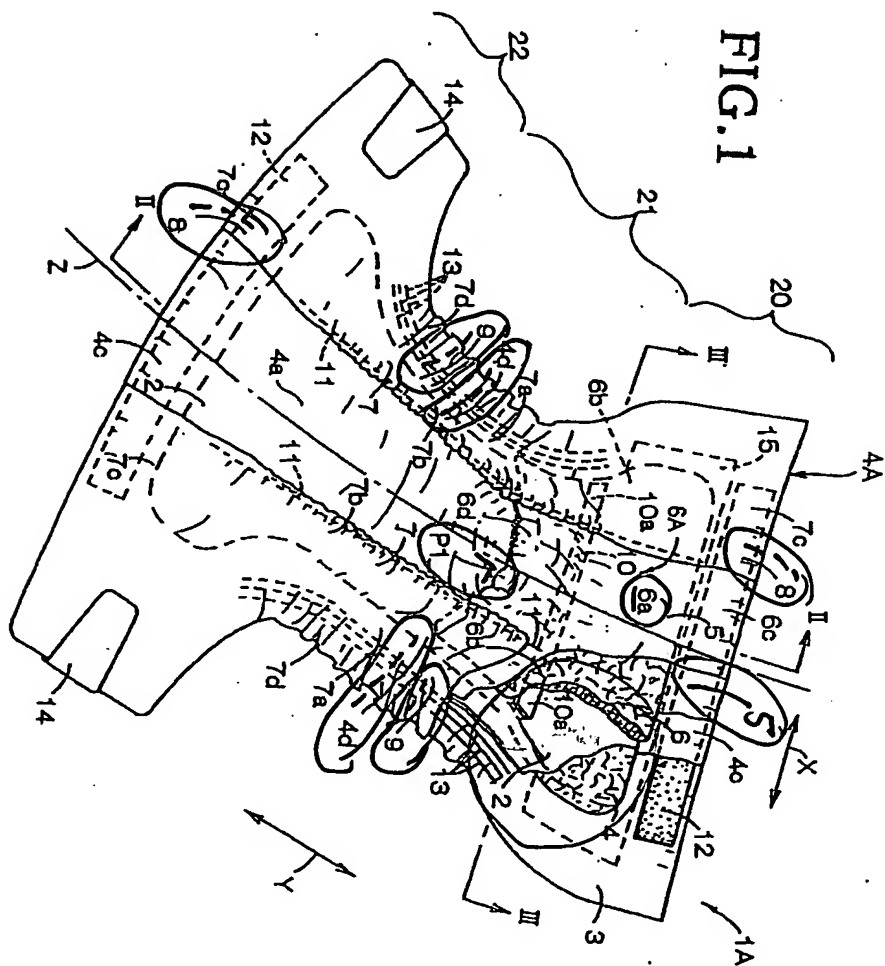
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tanya Zalukaeva can be reached on (571) 272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Karin M. Reichle
Primary Examiner
Art Unit 3761

KMR
February 8, 2007





U.S. Application No. 10/082,211
By: Kazuaki ONISHI et al.
Filed: February 26, 2002
Title: DISPOSABLE DIAPER
REPLACEMENT SHEET

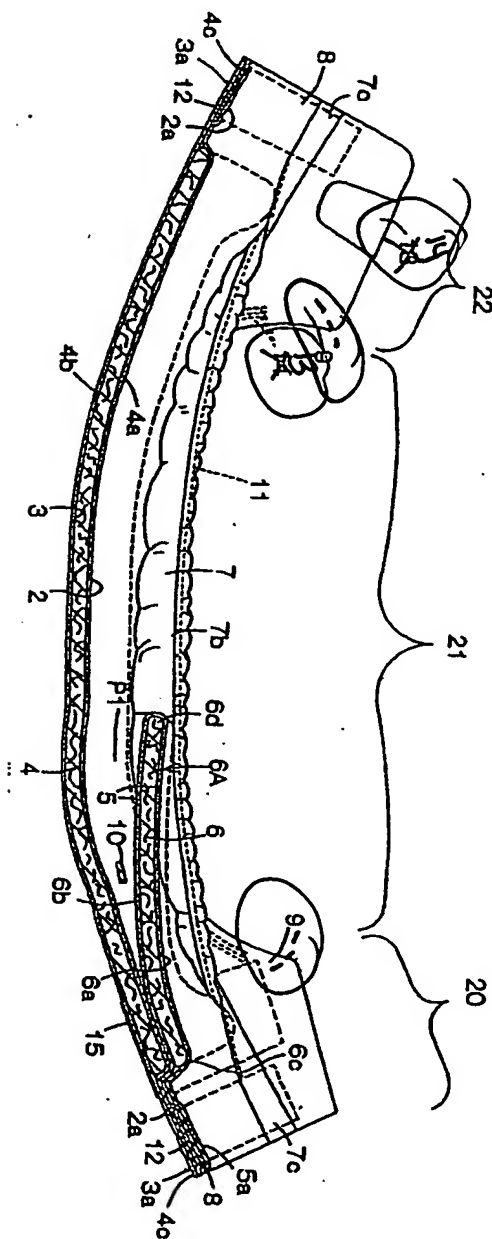


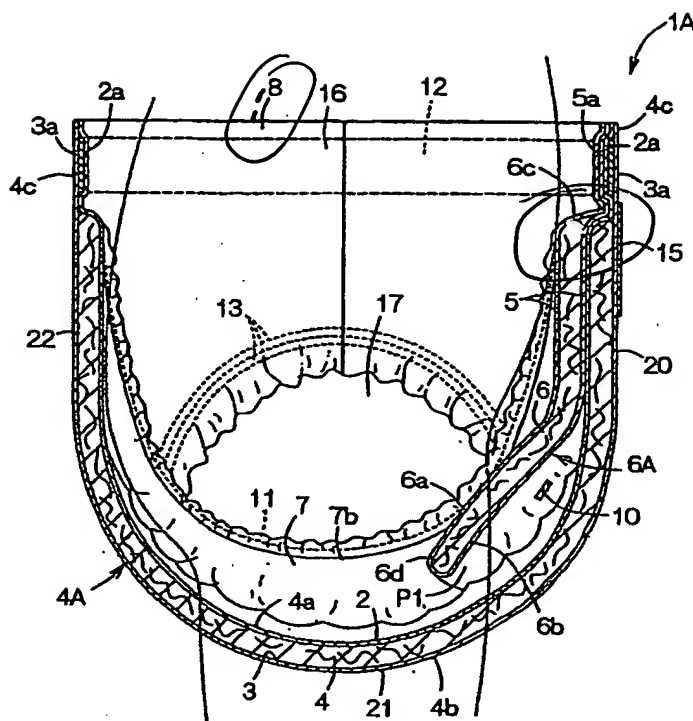
FIG. 2

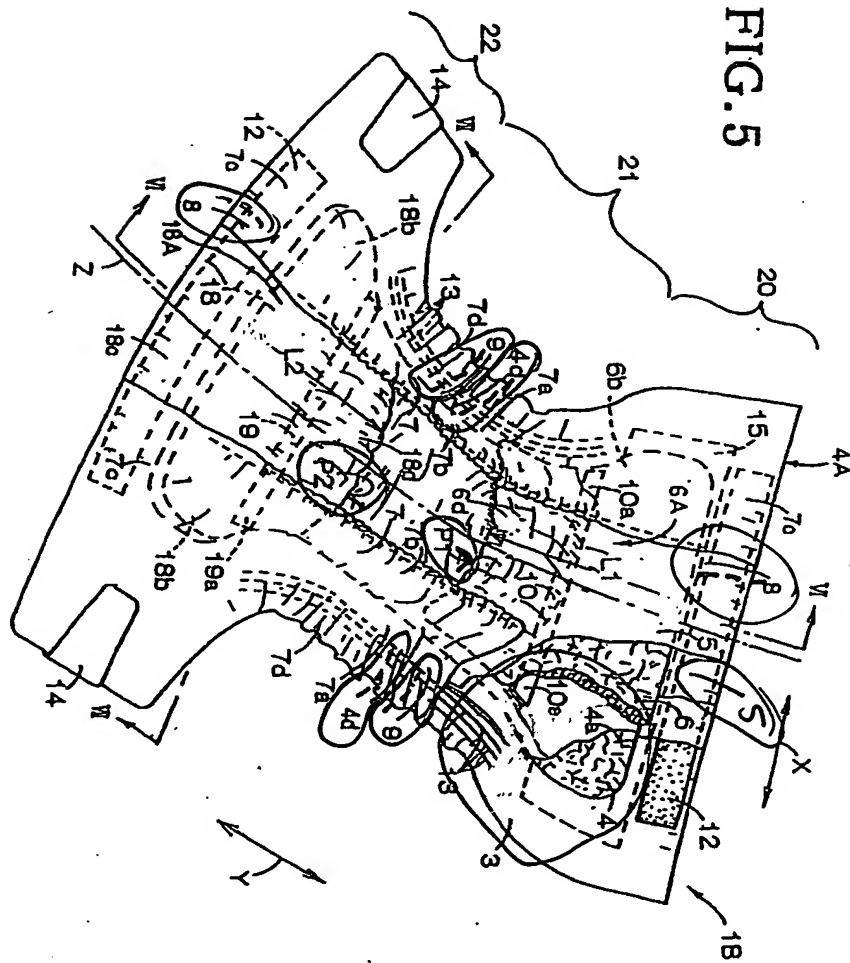


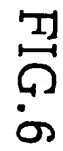


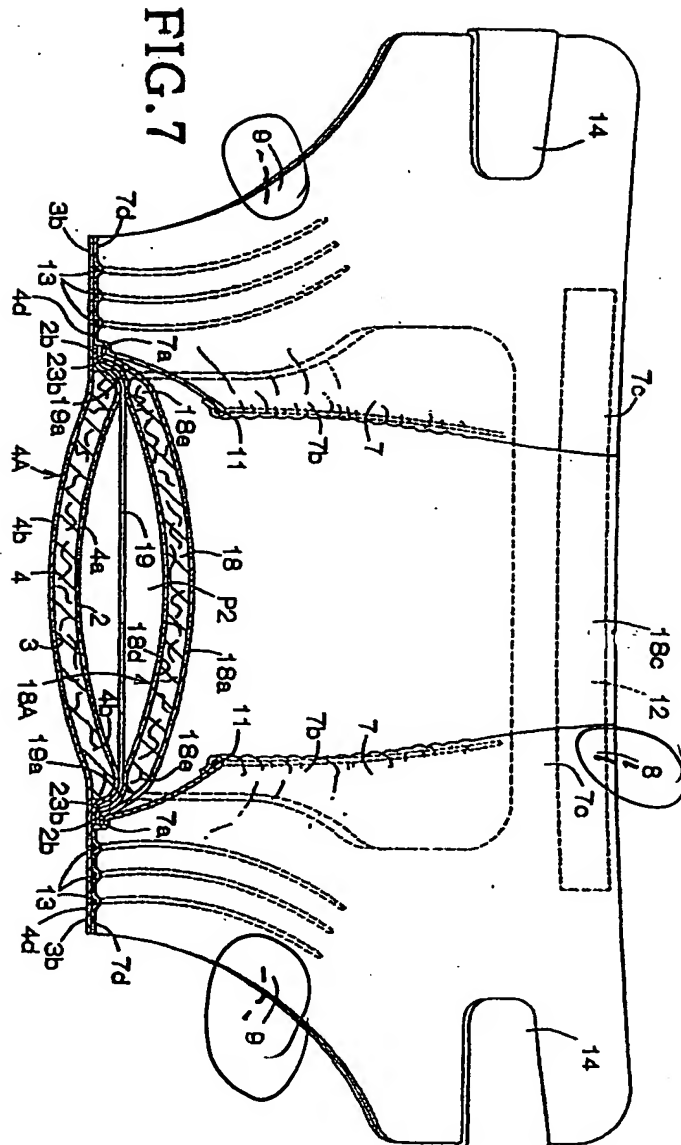
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FIG. 4







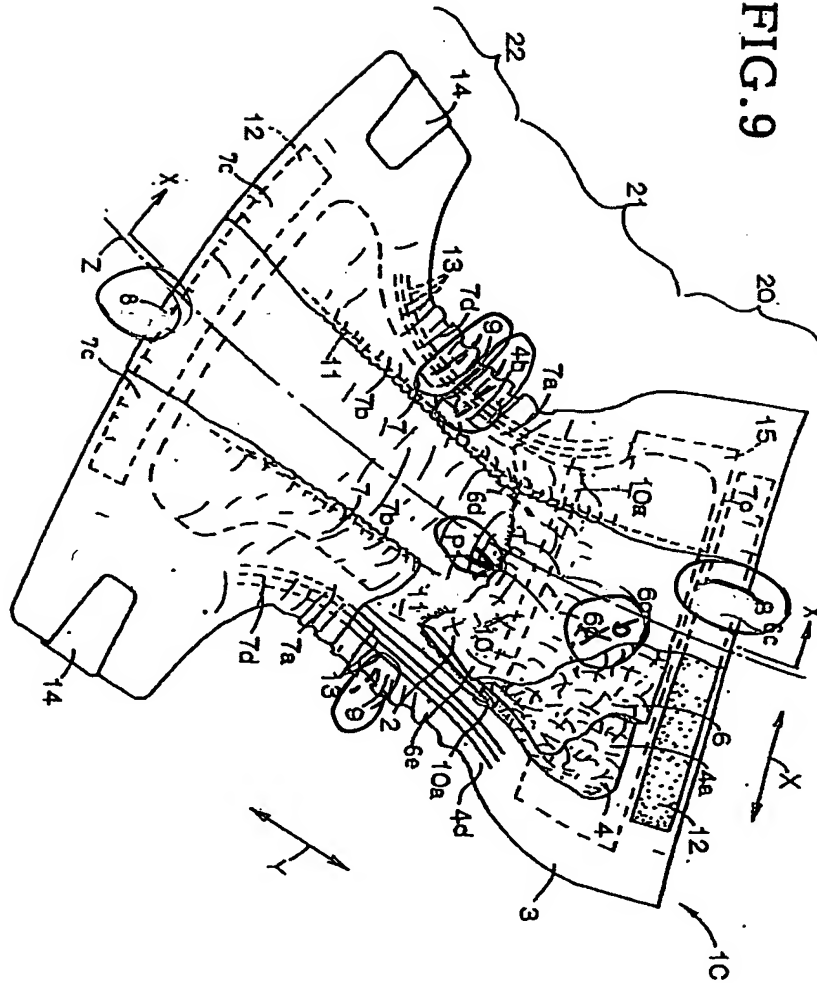


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FIG. 9



A circular black and white stamp. The outer ring contains the text "OIP" at the top and "PATENT & TRADEMARK OFFICE" at the bottom. The center of the stamp contains the date "NOV 22 2006".

